



more than ten years in the care and maintenance of grounds, and was found to be lacking three years of experience in work involving the cleaning and maintenance of furniture, fixtures, offices and buildings.

On appeal, the appellant argues that he has completed courses, has five years of supervisory experience as a public works manager, is scheduled to take a final test (presumably for a certification), and has placed high in prior examinations for Assistant Supervisor Public Works and Supervisor Public Works. He states that he is a resident of Marlboro Township, has remodeled three of his houses from top to bottom, owns a landscaping company, performed remodeling of buildings and garages for the township, and has been in charge of many job sites. He also argues that the announcement “changed to a residency requirement.”

### **CONCLUSION**

*N.J.A.C.* 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date.

The appellant met one of the experience requirements for the subject examination. However, none of his positions had work involving the cleaning and maintenance of furniture, fixtures, offices and buildings as the primary focus. As such, the appellant does not meet the requirements for the subject title. There was no substitution clause of training for the required experience, and placement on eligible lists for other titles has no bearing on the subject examination, as each examination is separate. It is noted that experience requirements for Assistant Supervisor Public Works and Supervisor Public Works is different, requiring heavy construction work. Residency was not a factor in eligibility, as this is not an open-competitive examination, but the examination was open to employees in the Department of Public Works in Marlboro.

An independent review of all material presented indicates that the decision of the Division of Agency Services that appellant did not meet the announced requirements for eligibility by the closing date is amply supported by the record. Appellant provides no basis to disturb this decision. Thus, appellant has failed to support his burden of proof in this matter.

### **ORDER**

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 31<sup>st</sup> DAY OF OCTOBER, 2018



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